5806823/2022/VIG-II-PRR01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – PR&RD – Allegation of creating dispute in payment of bills in Grama Panchayat of Vithalapuram Village, Thaluru Mandal, Prakasam District in between two writ petitioners, resulting legal complication and filing Contempt Cases No.1006/2022 for non implementation of Hon'ble High Court orders in WP No.25273/2021 and issued notice in Form-I to the respondents - Sri M. Rajesh Babu, the then MPDO (Special Officer)Thaluru Mandal, presently working at Karamchedu Mandal, Prakasam District - Legal complications – Disciplinary proceedings under Rule 20 of APCS (CC&A) Rules, 1991 – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG-II) DEPARTMENT

G.O.Rt.No.413 Dated:28-04-2022
Read

ORDER:

It is proposed to hold an inquiry against Sri M. Rajesh Babu, the then MPDO (Special Officer) Thaluru Mandal, presently working at Karamchedu Mandal, Prakasam District in accordance with the procedure laid down in Rule-20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I and II). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri M. Rajesh Babu, the then MPDO (Special Officer) Thaluru Mandal, presently working at Karamchedu Mandal, Prakasam District is directed to submit his written statement of defence within (10) days of the receipt of this order.

4. Sri M. Rajesh Babu, the then MPDO (Special Officer) Thaluru Mandal, presently working at Karamchedu Mandal, Prakasam District is informed that an enquiry will be held only in respect those article of charges as are not admitted. He should, therefore, specifically admit or deny article of charge.

5. Sri M. Rajesh Babu, the then MPDO (Special Officer)Thaluru Mandal, presently working at Karamchedu Mandal, Prakasam District is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services(Classification, Control & Appeal) Rules, 1991 or the orders directions issued in pursuance of the said rules, the competent disciplinary authority may hold the inquiry against him ex-parte, based on the material available on record.

6. Sri M. Rajesh Babu, the then MPDO (Special Officer)Thaluru Mandal, presently working at Karamchedu Mandal, Prakasam District is invited to Rule-24 of the APCS (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of APCS(Conduct) Rules, 1964.

(Contd...P-2)

6. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI,
PRINCIPAL SECRETARY TO GOVERNMENT.

To

Sri M. Rajesh Babu, the then MPDO (Special Officer) Thaluru Mandal, presently working at Karamchedu Mandal, Prakasam District (through the Commissioner, PR & RD,Guntur.

The Commissioner, PR & RD, Tadepalli, Guntur
(in duplicate with a request to serve and return the dated acknowledgement copy)

Copy to:

The Engineer-in-Chief, Panchayat Raj, A.P., Vijayawada
The PR & RD (Estt-V) Department.
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER

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ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT AND MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI M. RAJESH BABU, THE THEN MPDO (SPECIAL OFFICER) THALURU(M) PRESENTLY AT KARAMCHEDU (M), PRAKASAM DISTRICT.

Basis:

(1) The Hon'ble High Court of AP have passed orders dated 02.12.2021 in W.P.No.25273/2021 to clear the bills submitted by the petitioner and to release payment forthwith, in case no payment is made till date. In case, any part payment is made as on date, the remaining amount shall be paid to the petitioner forthwith.

(2) The Hon'ble High Court of A.P., have passed orders dated 29-12-2021 in WPNo.30884/2021"The respondents shall pay the principal amount of the bills to the writ petitioner within a period of four (4) weeks". As per the above orders of the Hon'ble High Court, it is noticed that the payment was made to the petitioner. It is further noticed that, the payment made for the works in the W.P.No.30884/2021, the work bills claimed by the writ petitioner in W.P.No.25273/2021 are one and the same.

(3) The works allotment/completion certificates issued by concerned MPDO(Special Officer)Thaluru, Prakasam District to both the writ petitioners in WPNo.30884/2021 & 25273/2021, leading legal complication for filing Contempt Case for disobedience and disregard shown to the orders passed by the Hon'ble High Court dated 02.11.2021 in WPNo.25273/2021.

(4) During the course of C.C.No.1006/2022, the Hon'ble High Court have issued Form-I notice on 16.06.2022 to the respondents, thereby leading several legal complications, which shows his disobedience of the orders issued by the Hon'ble Court and higher authorities.

Thus the Government Servant Sri M. Rajesh Babu, the then MPDO (Special Officer)Thaluru Mandal, presently working at Karamchedu Mandal, Prakasam District failed to obey the orders of the Hon'ble Court and higher authorities and gross negligence on his legitimate duties and delayed in implementation of the Hon'ble High Court orders due to which Form-I notice in Contempt Case No.1006/2022 has been received from the Hon'ble High Court, leading several legal complications. Thus by the above mentioned acts, he failed to maintain absolute integrity, devotion to the duty and conduct unbecoming of a Government Servant and there by contravened the Rule 3(1) & 3(2) of APCS (Conduct) Rules, 1964.

Hence, the charge.

GOPAL KRISHNA DWIVEDI,
PRINCIPAL SECRETARY TO GOVERNMENT.

SECTION OFFICER

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ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI M. RAJESH BABU, THE THEN MPDO (SPECIAL OFFICER) THALURU(M) PRESENTLY AT KARAMCHEDU (M), PRAKASAM DISTRICT.

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CHARGE:

That Sri M. Rajesh Babu, the then MPDO (Special Officer)Thaluru Mandal, presently working at Karamchedu Mandal, Prakasam District has creating dispute in payment of bills in Grama Panchayat of Vithalapuram Village, Thaluru Mandal, Prakasam District in between two writ petitioners, resulting legal complication and filing Contempt Cases No.1006/2022 for non implementation of Hon'ble High Court orders in WP No.25273/2021 and issued notice in Form-I to the respondents.

Thus, Sri M. Rajesh Babu, the then MPDO (Special Officer)Thaluru Mandal, presently working at Karamchedu Mandal, Prakasam District showed his disobedience of the orders issued by the higher authorities and gross negligence in attending his legitimate duties and acted in contravention of Rule 3 of APCS (Conduct) Rules, 1964.

GOPAL KRISHNA DWIVEDI,
PRINCIPAL SECRETARY TO GOVERNMENT.

SECTION OFFICER

5806823/2022/VIG-II-PRR01

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST SRI M. RAJESH BABU, THE THEN MPDO (SPECIAL OFFICER) THALURU(M) PRESENTLY AT KARAMCHEDU (M), PRAKASAM DISTRICT ARE PROPOSED TO BE SUSTAINED:

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(1) High Court of A.P orders dated:02.12.2021 in W.P.No.25273/2021 filed by Sri Manam Ramesh Babu R/o Thaluru Mandal, Prakasam District.

(2) High Court of A.P., orders dated 29.12.2021 in WPNo.30884/2021 filed by Sri Kota Nagarjuna Reddy R/o Thallur, Prakasam District.

(3) Contempt Case No.1006/2022 in which Form-I notice issued.

GOPAL KRISHNA DWIVEDI,
PRINCIPAL SECRETARY TO GOVERNMENT.

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSESS BY WHOM THE ARTICLE OF CHARGE AGAINST SRI M. RAJESH BABU, THE THEN MPDO (SPECIAL OFFICER) THALURU(M) PRESENTLY AT KARAMCHEDU (M), PRAKASAM DISTRICT IS PROPOSED TO BE SUSTAINED :

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- Nil –

GOPAL KRISHNA DWIVEDI,
PRINCIPAL SECRETARY TO GOVERNMENT.

SECTION OFFICER